
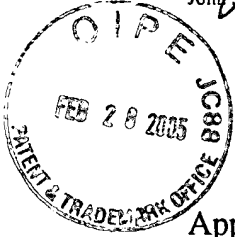


CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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John S. Nagy, Reg. No. 30,684



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/715,150
Applicants : Lilip Lau, Joshua Wallin
Filed : November 17, 2003
Art Unit : Unassigned
Examiner : Unassigned
Title : CARDIAC HARNESS DELIVERY DEVICE AND METHOD

Docket No.: : PARCR 67359
Customer No. : 24201

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

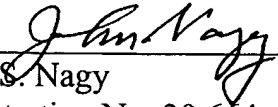
The documents listed on the enclosed Form PTO/SB/08A have come to the attention of Applicants and are submitted to the Office under 37 C.F.R. § 1.97. A copy of each of the listed foreign documents and articles is enclosed.

Applicants believe that this Information Disclosure Statement has been filed before the mailing date of a first Office action on the merits in accordance with 37 C.F.R. § 1.97(b)(3) and therefore, no fee is due. However, if a fee is in fact due the

Commissioner is authorized to charge our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: 
John S. Nagy
Registration No. 30,664

JSN:jeb

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 14

Complete if Known

Application Number	10/715,150
Filing Date	November 17, 2003
First Named Inventor	Lilip Lau
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	PARCR 67359

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		2,826,193		03/11/58	Vineberg	
		3,464,322		09/02/69	Pequignot	
		3,513,836		05/26/70	Sausse	
		3,587,567		06/28/71	Schiff	
		3,613,672		10/19/71	Schiff	
		3,966,401		06/29/76	Hancock et al.	
		3,983,863		10/05/76	Janke et al.	
		3,988,782		11/02/76	Dardik et al.	
		4,011,947		03/15/77	Sawyer	
		4,048,990		09/20/77	Goetz	
		4,065,816		01/03/78	Sawyer	
		4,108,161		08/22/78	Samuels et al.	
		4,192,293		03/11/80	Asrican	
		4,211,325		07/08/80	Wright	
		4,261,342		04/14/81	Aranguren Duo	
		4,306,318		12/22/81	Mano et al.	
		4,372,293		02/08/83	Vijil-Rosales	
		4,403,604		09/13/83	Wilkinson et al.	
		4,428,375		01/31/84	Ellman	
		4,512,471		04/23/85	Kaster et al.	
		4,536,893		08/27/85	Perrotin	
		4,545,783		10/08/85	Vaughn	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind ⁵ (if known)				
		FR	2 527 435		12/2/83	Serreus		
		SU	1009457A		04/07/83	Kulik		
		GB	2 115 287 A		09/07/83	Sharma		
		JP	60-203250		10/14/85	Unknown		
		GB	2 209 678 A		05/24/89	Evans		
		DE	3831 540 A1		04/06/89	Evans		
		JP	1-145066		06/07/89	Unknown		
		JP	1-271829		10/30/89	Kogyo		
		EPO	0 370 931 A1		05/30/90	Perrotin		

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known			
Sheet 2		of 14		Application Number		10/715,150	
				Filing Date		November 17, 2003	
				First Named Inventor		Lilip Lau	
				Art Unit		Unassigned	
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				Attorney Docket Number		PARCR 67359	

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		Number	Kind Code ² (if known)			
		4,628,937		12/16/86	Hess et al.	
		4,630,597		12/23/86	Kantrowitz et al.	
		4,665,906		05/19/87	Jervis	
		4,690,134		09/01/87	Snyders	
		4,697,703		10/06/87	Will	
		4,750,619		06/14/88	Cohen et al.	
		4,821,723		04/18/89	Baker, Jr. et al.	
		4,827,932		05/09/89	Ideker et al.	
		4,834,707		05/30/89	Evans	
		4,838,288		06/13/89	Wright et al.	
		4,840,626		06/20/89	Linsky et al.	
		4,863,016		09/05/89	Fong et al.	
		4,878,890		11/07/89	Bilweis	
		4,936,857		06/26/90	Kulik	
		4,957,477		09/18/90	Lundback	
		4,960,424		10/02/90	Grooters	
		4,973,300		11/27/90	Wright	
		4,976,730		12/11/90	Kwan-Gett	
		5,031,762		07/16/91	Heacox	
		5,057,117		10/15/91	Atweh	
		5,067,957		11/26/91	Jervis	
		5,087,243		02/11/92	Avitall	

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		Office ³	Number ⁴	Kind ⁵ (if known)				
		FR	2 645 739		10/19/90	Mentzer et al.		
		PCT	WO 91/19465		12/26/91	Frater		
		SU	1734767 A1		05/23/92	Popov et al.		
		EP	0 280 564 B1		06/16/93	Intermedics, Inc.		
		DE	38 31 540 C2		06/24/93	Evans		
		PCT	WO 95/06447		03/09/95	W.L. Gore & Associates		
		PCT	WO 96/04852		02/22/96	Northrup		
		DE	295 17 393 U1		03/14/96	Hohmann et al.		
		EP	0 583 012 B1		07/10/96	Heilman et al.		

Examiner Signature	Date Considered
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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/715,150
				Filing Date	November 17, 2003
				First Named Inventor	Lilip Lau
				Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket Number	PARCR 67359
(use as many sheets as necessary)					
Sheet	3	of	14		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		5,098,369		03/24/92	Heilman et al.	
		5,106,386		04/21/92	Isner et al.	
		5,119,804		06/09/92	Anstadt	
		5,131,905		07/21/92	Grooters	
		5,150,706		09/29/92	Cox et al.	
		5,169,381		12/08/92	Snyders	
		5,186,711		02/16/93	Epstein	
		5,190,546		03/02/93	Jervis	
		5,192,314		03/09/93	Daskalakis	
		5,197,978		03/30/93	Hess	
		5,256,132		10/26/93	Snyders	
		5,279,539		01/18/94	Bohan et al.	
		5,290,217		03/01/94	Campos	
		5,336,254		08/09/94	Brennen et al.	
		5,344,442		09/06/94	Deac	
		5,352,184		10/04/94	Goldberg et al.	
		5,356,432		10/18/94	Rutkow et al.	
		5,366,460		11/22/94	Eberbach	
		5,383,840		01/24/95	Heilman et al.	
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		5,385,229		01/31/95	Bittmann et al.	
		5,385,528		01/31/95	Wilk	

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Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 96/40356		12/19/96	EP Technologies, Inc.		
		PCT	WO 97/20505		06/12/97	Loma Linda University		
		PCT	WO 97/24101		07/10/97	Melvin		
		EP	0 791 330 A3		08/27/97	Cardiothoracic Systems		
		PCT	WO 98/03213		01/29/98	Heartport, Inc.		
		PCT	WO 98/14136		04/09/98	Acorn Medical, Inc.		
		PCT	WO 98/26738		06/25/98	Hearten Medical, Inc.		
		PCT	WO 98/29041		07/09/98	Myocor, Inc.		
		PCT	WO 99/11201		03/11/99	Endocore, Inc.		

Examiner Signature	Date Considered
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				Application Number	10/715,150	
Sheet		4	of	14	Filing Date	November 17, 2003
					First Named Inventor	Lilip Lau
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		Number	Kind Code ² (if known)			
		5,405,360		04/11/95	Tovey	
		5,429,584		07/04/95	Chiu	
		5,460,962		10/24/95	Kemp	
		5,433,727		07/18/05	Sideris	
		5,500,015		03/19/96	Deac	
		5,507,779		04/16/96	Altman	
		5,509,428		04/23/96	Dunlop	
		5,524,633		06/11/96	Heaven et al.	
		5,533,958		07/09/96	Wilk	
		5,534,024		07/09/96	Rogers et al.	
		5,545,210		08/13/96	Hess et al.	
		5,558,617		09/24/96	Heilman et al.	
		5,571,215		11/05/96	Serman et al.	
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		5,593,424		01/14/97	Northrup III	
		5,593,441		01/14/97	Lichtenstein et al.	
		5,597,378		01/28/97	Jervis	
		5,603,337		02/18/97	Jarvik	
		5,607,477		03/04/97	Schindler et al.	
		5,647,372		07/15/97	Tovey et al.	
		5,647,380		07/15/97	Campbell et al.	
		5,695,525		12/09/97	Mulhauser et al.	
		5,702,343		12/30/97	Alferness	

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		Office ³	Number ⁴	Kind ⁵ (if known)				
		EP	0 919 193 A1		06/02/99	Ethicon Endo-Surgery		
		PCT	WO 99/30647		06/24/99	Myocor, Inc.		
		PCT	WO 99/44534		09/10/99	Melvin		
		PCT	WO 99/44680		09/10/99	Abiomed, Inc.		
		PCT	WO 99/53977		10/28/00	SciMed Life Systems		
		PCT	WO 99/56655		11/11/99	Correstore, Inc.		
		PCT	WO 00/02500		01/20/00	Acorn Cardiovascular		
		PCT	WO 00/06026		02/10/00	Myocor, Inc.		
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		5,713,954		02/03/98	Rosenberg et al.	
		5,727,569		03/17/98	Benetti et al.	
		5,749,839		05/12/98	Kovacs	
		5,782,746		07/21/98	Wright	
		5,800,334		09/01/98	Wilk	
		5,800,528		09/01/98	Lederman et al.	
		5,814,097		09/29/98	Sterman et al.	
		5,824,028		10/20/98	Knisley	
		5,836,311		11/17/98	Borst et al.	
		5,848,962		12/15/98	Feindt et al.	
		5,849,005		12/15/98	Garrison et al.	
		5,853,422		12/29/98	Huebsch et al.	
		5,865,791		02/02/99	Whayne et al.	
		5,904,690		05/18/99	Middleman et al.	
		5,910,124		06/08/99	Rubin	
		5,927,284		07/27/99	Borst et al.	
		5,948,019		09/07/99	Shu et al.	
		5,957,977		09/28/99	Melvin	
		5,961,440		10/05/99	Schwartz, Jr. et al.	
		5,976,069		11/02/99	Navia et al.	
		5,979,456		11/09/99	Magovern	
		5,984,857		11/16/99	Buck et al.	
		5,990,378		11/23/99	Ellis	

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		PCT	WO 00/06028		02/10/00	Mortier, et al.		
		PCT	WO 00/13722		03/16/00	SciMed Life Systems		
		PCT	WO 00/16700		03/30/00	Myocor, Inc.		
		PCT	WO 00/18320		04/06/00	Univ. of Cincinnati		
		PCT	WO 00/28912		05/25/00	Acorn Cardiovascular		
		PCT	WO 00/28918		05/25/00	Acorn Cardiovascular		
		PCT	WO 00/42919		07/25/00	Buckberg et al		
		PCT	WO 00/45735		08/10/00	Acorn Cardiovascular		
		PCT	WO 00/48795		08/24/00	Richebourg		

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		Application Number	10/715,150
		Filing Date	November 17, 2003
		First Named Inventor	Lilip Lau
		Art Unit	Unassigned
		Examiner Name	Unassigned
Sheet	6	of	14
		Attorney Docket Number	PARCR 67359

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		6,007,486		12/28/99	Hunt et al.	
		6,015,378		01/18/00	Borst et al.	
		6,024,096		02/15/00	Buckberg	
		6,045,497		04/04/00	Schweich, Jr. et al.	
		6,050,936		04/18/00	Schweich, Jr. et al.	
		6,059,715		05/09/00	Schweich, Jr. et al.	
		6,071,303		06/06/00	Laufer	
		6,076,013		06/13/00	Brennan et al.	
		6,077,214		06/20/00	Mortier et al.	
		6,077,218		06/20/00	Alferness	
		6,079,414		06/27/00	Roth	
		6,085,754		07/11/00	Alferness et al.	
		6,095,968		08/01/00	Snyders	
		6,110,100		08/29/00	Talpade	
		6,117,159		09/12/00	Huebsch et al.	
		6,117,979		09/12/00	Hendriks et al.	
		6,123,662		09/26/00	Alferness et al.	
		6,125,852		10/03/00	Stevens et al.	
		6,126,590		10/03/00	Alferness	
		6,155,968		12/05/00	Wilk	
		6,155,972		12/05/00	Nauertz et al.	
		6,162,168		12/19/00	Schweich, Jr. et al.	

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Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 00/62727		10/26/00	Hearten Medical		
		PCT	WO 00/74769		12/14/00	Johns Hopkins Univ.		
		PCT	WO 01/17437		03/15/01	Cardiothoracic Systems		
		PCT	WO 01/21098		03/29/01	Acorn Cardiovascular		
		PCT	WO 01/50981		07/19/01	Acorn Cardiovascular		
		PCT	WO 01/67985		09/20/01	Paracor Surgical		
		PCT	WO 01/85061		11/15/01	Acorn Cardiovascular		
		PCT	WO 01/91667		12/06/01	Cardioclasp, Inc.		
		PCT	WO 01/95830		12/20/01	Acorn Cardiovascular		

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				Filing Date November 17, 2003	
				First Named Inventor Lilip Lau	
				Art Unit Unassigned	
				Examiner Name Unassigned	
				Attorney Docket Number PARCR 67359	

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		6,165,119		12/26/00	Schweich, Jr. et al.	
		6,165,120		12/26/00	Schweich, Jr. et al.	
		6,165,121		12/26/00	Alfemess	
		6,165,122		12/26/00	Alfemess	
		6,166,184		12/26/00	Hendriks et al.	
		6,169,922		01/02/01	Alfemess et al.	
		6,174,279		01/16/01	Girard	
		6,179,791		01/30/01	Krueger	
		6,183,411		02/06/01	Mortier et al.	
		6,190,408		02/20/01	Melvin	
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		6,206,820		03/27/01	Kazi et al.	
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		6,230,714		05/15/01	Alfemess et al.	
		6,260,552		07/17/01	Mortier et al.	
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		6,264,602		07/24/01	Mortier et al.	
		6,287,250		09/11/01	Peng et al.	
		6,293,906		09/25/01	Vanden Hoek et al.	
		6,306,141		10/23/01	Jervis	
		6,360,749		03/26/02	Jayaraman	

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		PCT	WO 01/95832		12/20/01	Acorn Cardiovascular		
		PCT	WO 02/13726		02/21/02	Acorn Cardiovascular		
		PCT	WO 02/19917		03/14/02	Converge Medical		
		PCT	WO 02/059007		08/01/02	SnapWare Corp.		
		PCT	WO 03/026483		04/03/03	The Foundry, Inc.		
		PCT	WO 03/026485		04/03/03	The Foundry, Inc.		
		PCT	WO 03/026484		04/03/03	The Foundry, Inc.		

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First Named Inventor		Lilip Lau			
Art Unit		Unassigned			
Examiner Name		Unassigned			
Attorney Docket Number		PARCR 67359			
Sheet	8	of	14		

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		Number	Kind Code ² (if known)			
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		6,390,976		05/21/02	Spence et al.	
		6,402,679		06/11/02	Mortier et al.	
		6,402,680		06/11/02	Mortier et al.	
		6,406,420		06/18/02	McCarthy et al.	
		6,409,760		06/25/02	Melvin	
		6,416,459		07/09/02	Haindl	
		6,425,856		07/30/02	Shapland et al.	
		6,432,039		08/13/02	Wardle	
		6,451,025		09/17/02	Jervis	
		6,482,146		11/19/02	Alferness et al.	
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		6,645,139		11/11/03	Haindl	
		6,663,558		12/16/03	Lau et al.	
		6,673,009		01/06/04	Vanden Hoek et al.	
		6,682,474		01/27/04	Lau et al.	
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		6,682,476		01/27/04	Alferness et al.	
		6,685,620		02/03/04	Gifford, III et al.	
		6,685,627		02/03/04	Jayaraman	
		6,702,732		03/09/04	Lau et al.	

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		Filing Date	November 17, 2003
		First Named Inventor	Lilip Lau
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		Bencini, Adriano, M.D., <i>The "Pneumomassage" of the Heart, Surgery</i> , Vol. 39, No. 3, March 1956	
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		Lev, Maurice, M.D., et al., <i>Single (Primitive) Ventricle, Circulation</i> , Vol. 39, pp. 577-591	
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Substitute for form 1449B/PTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p>		<h3 style="text-align: center;">Complete if Known</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/715,150</td> </tr> <tr> <td>Filing Date</td> <td>November 17, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Lilip Lau</td> </tr> <tr> <td>Group Art Unit</td> <td>Unassigned</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>PARCR 67359</td> </tr> </table>		Application Number	10/715,150	Filing Date	November 17, 2003	First Named Inventor	Lilip Lau	Group Art Unit	Unassigned	Examiner Name	Unassigned	Attorney Docket Number	PARCR 67359
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		Levin, Howard R., M.D., et al., <i>Reversal of Chronic Ventricular Dilation in Patients With End-Stage Cardiomyopathy by Prolonged Mechanical Unloading</i> , <u>Circulation</u> , Vol. 91, No. 11, pp. 2717-2720, 1995	
		Chaudhry, Pervaiz A., M.D., et al., <i>Acute Ventricular Reduction with Acorn's Cardiac Support Device Prevents Progressive Left Ventricular Dysfunction and Remodeling in Dogs With Advanced Heart Failure</i> , <u>Cardiothoracic Surgery</u> , pp. 146-148, 1996	
		Oh, Joong Hwan, M.D., et al., <i>Mechanisms of Dynamic Cardiomyoplasty: Current Concepts</i> , <u>Journal of Cardiac Surgery</u> , Vol. 11, pp. 194-199, 1996	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 12 of 14		Application Number	10/715,150
		Filing Date	November 17, 2003
		First Named Inventor	Lilip Lau
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
		Attorney Docket Number	PARCR 67359
OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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		First Named Inventor	Lilip Lau
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		Examiner Name	Unassigned
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
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		Application for U.S. Letters Patent Serial No. 09/634,043 filed August 8, 2000	
		Application for U.S. Letters Patent Serial No. 09/952,145 filed September 10, 2001	
		Application for U.S. Letters Patent Serial No. 10/242,016 filed September 10, 2002	
		Application for U.S. Letters Patent Serial No. 10/287,723 filed October 31, 2002	
		Application for U.S. Letters Patent Serial No. 10/314,696 filed December 9, 2002	
		Application for U.S. Letters Patent Serial No. 10/338,934 filed January 7, 2003	
		Provisional Patent Application Serial No. 60/458,991 filed March 28, 2003	
		Provisional Patent Application Serial No. 60/486,062 filed July 10, 2003	
		Application for U.S. Letters Patent Serial No. 10/693,577 filed October 23, 2003	
		Application for U.S. Letters Patent Serial No. 10/694,646 filed October 27, 2003	
		Application for U.S. Letters Patent Serial No. 10/698,237 filed October 31, 2003	
		Application for U.S. Letters Patent Serial No. 10/704,376 filed November 7, 2003	
		Application for U.S. Letters Patent Serial No. 10/705,989 filed November 12, 2003	
		Application for U.S. Letters Patent Serial No. 10/714,189 filed November 13, 2003	
		Application for U.S. Letters Patent Serial No. 10/715,150 filed November 17, 2003	
		Application for U.S. Letters Patent Serial No. 10/754,174 filed January 9, 2004	
		Application for U.S. Letters Patent Serial No. 10/754,264 filed January 9, 2004	
		Application for U.S. Letters Patent Serial No. 10/754,852 filed January 9, 2004	
		Provisional Patent Application Serial No. 60/535,888 filed January 12, 2004	

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